

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

CAMILIA T. TERRY,	:	Case No. 3:21-cv-35
	:	
Plaintiff,	:	
	:	
vs.	:	District Judge Michael J. Newman
	:	Magistrate Judge Peter B. Silvain, Jr.
	:	
LT. CRAWFORD, <i>et al.</i> ,	:	
	:	
Defendants.	:	
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**ORDER**

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This case is before the Court for a *sua sponte* review of *pro se* Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2).

Pursuant to § 1915, the Court may dismiss a complaint upon finding (1) the claims are frivolous or malicious; (2) it fails to state a claim upon which relief may be granted; or (3) it seeks monetary relief from a defendant who is immune from such relief. *See* 28 U.S.C. § 1915(e)(2)(B). It is appropriate for the Court to conduct this review *sua sponte* prior to issuance of process "so as to spare prospective defendants the inconvenience and expense of answering such complaints." *Neitzke v. Williams*, 490 U.S. 319, 324 (1989). Having conducted this initial review, the Court finds that dismissal under 28 U.S.C. § 1915 is not warranted at this stage of the litigation.

Having conducted this § 1915 review, the Court finds, at this early juncture in the litigation, that dismissal of Plaintiff's complaint is not warranted. Accordingly, and having been advised by the Clerk of Courts that Plaintiff has already submitted the necessary service forms, the United States Marshal is **ORDERED** to serve Defendants with process under Fed. R. Civ. P. 4(c)(3). All costs of service shall be advanced by the United States.

**IT IS SO ORDERED.**

July 1, 2021

*s/ Peter B. Silvain, Jr.*

Peter B. Silvain, Jr.

United States Magistrate Judge